

First and Final Account and Report of Administrator and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and for Distribution

DOD: 12/1/02		PUBLIC ADMINISTRATOR , Successor Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 6/26/13 through 3/5/15	
		Accounting: \$17,000.00	
		Beginning POH: \$17,000.00	
		Ending POH: \$ 5,251.30 (cash)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Surcharge was entered against the former administrator for \$92,000.00, which was the sale price indicated on a Notice of Proposed Action filed 7/8/04. However, because he only had to post a \$17,000.00 bond, that is all the estate was able to recover.

Public Administrator (Statutory): \$680.00 (based on \$17,000.00)

Public Administrator (Extraordinary): \$96.00 (for 1 deputy hour @ \$96/hr for services in connection with the surcharge petition)

Attorney (Statutory): \$680.00

Attorney (Extraordinary): \$990.00 (for 6.60 attorney hours @ \$150/hr for services in connection with the surcharge petition)

All creditor's claims (total \$11,748.70) have been paid in full.

After payment of commissions, fees and costs in the total amount of \$3,341.50, which includes \$435 for this petition and the petition for surcharge and the \$25.50 fee for certification of letters, there will be \$1,909.80 to distribute to the heirs. Each heir would receive one-third; however, Richard's share will be divided between the spouse and the daughter as follows:

Juanita Canada: \$954.90
Kimberly Canada: \$954.90

The remaining surcharge not covered by the bond (\$75,000.00) would be split into thirds. Thus, Juanita and Kimberly should also be granted a judgment against Richard for \$25,000.00 each.

Reviewed by: skc
Reviewed on: 6/23/15
Updates:
Recommendation:
File 1 - Canda

Probate Status Hearing Re: Filing Account

DOD: 11/06/06	<p>NAGLAA K. ALAMELDIN, sister, was appointed Administrator with full IAEA and bond of \$190,000.00 on 01/02/07.</p> <p>NAGLAA K. ALAMELDIN filed a Status Report of Administration of Estate and Petition to Approve First Account on 09/21/10.</p> <p>The Petition to Approve First Account was continued several times and the Court denied the Petition with leave to Amend on 06/04/12.</p> <p>Minute Order from hearing on 8/6/12 set this matter for status regarding filing the account.</p> <p>In June of 2013 the attorney reported that the estate is waiting on funds totaling \$69,425.63 from CA State Controller unclaimed property. In addition since there was a minor beneficiary a guardianship of the estate would be needed prior to distribution.</p> <p>Former Status Report filed 8/11/14 states the estate received a check in the amount of \$69,352.97 from the State Controller's office. Administrator states they are in the process of preparing a formal accounting and petition for final distribution in the next 45 days.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Final Account and Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 100412, 113012, 020113, 040513, 060713, 080913, 090613, 110113, 010914, 041014, 081114, 100914, 120114, 011215, 030215, 040615, 042715, 051115, 060115		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	X	
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 6/22/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Alameldin</p>

Nathaniel, 12	TALINA HURLEY, maternal grandmother, was appointed Guardian of the minors on 11/19/12	NEEDS/PROBLEMS/COMMENTS:
Scarlet, 10		
	On 05/27/14, Guardian's Petition to Fix Residence Outside the State of California was granted.	CONTINUED FROM 06/01/15 Minute Order from 06/01/15 states: Counsel requests 30 days. As of 06/22/15, nothing further has been filed. 1. Need proof of establishment of guardianship in Oregon. <u>Note:</u> it is noted that a copy of a Petition filed in Washington County, Oregon was filed 02/17/15; however no Order appointing Guardian has been filed.
Cont. from 012615, 030915, 060115	On 06/24/14, Debra Swenson, maternal grandmother, filed an Ex Parte Application for Temporary Restraining Order Preventing Guardian from Fixing Residence of Minors Outside of California and an Order Shortening Time on Petition to Terminate Order Fixing Minors Residence Outside of California. The Ex Parte Application was granted on 06/24/14 and set a hearing for 07/10/14.	
Aff.Sub.Wit.	At the 07/10/14 hearing, the matter was set for a court trial on 07/24/14.	Reviewed by: JF Reviewed on: 06/22/15 Updates: Recommendation: File 3 - Swenson
Verified	At the Court trial on 07/24/14, the Court found that there was no detriment in allowing the children to move to Oregon and set this matter for a Status Hearing regarding the Establishment of a Guardianship in Oregon.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report	Cover Sheet for Oregon Petition for Appointment of Guardian and Attached Documents filed 02/17/15 attaches a copy of a Petition for Appointment of Guardian in Washington County, Oregon.	
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	Status Report filed 05/29/15 states: Talina Hurley, guardian, reports that attorney's in Oregon have informed her that a "registration" needs to take place, but it is unclear at this time what constitutes a "registration". A 90 day continuance is requested to allow time to obtain a "registration".	
FTB Notice		

Atty Fanucchi, Edward L. (for Petitioner/Administrator Santos Perez)

(1) First and Final Account and Report of Personal Representative, (2) Petition for Settlement, for (3) Allowance of Attorneys' Fees for Ordinary Services, Costs, and for (4) Final Distribution

DOD: 4/14/12		SANTOS PEREZ , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 6/1/15. 1. Petition proposes to distribute the 1997 Automobile to Petitioner. Petitioner is not an heir to this estate. Therefore the property should be distributed to the heirs. (Revised order states this property has been abandoned – see #3 below) 2. Petition proposes to distribute the real property subject to a life estate in favor of the petitioner, who is not an heir to this estate. Two of the beneficiaries, Mike Chavez and Richard Flores, Jr. have signed a Renunciation in favor of Petitioner for a life estate in the real property. The other two beneficiaries Isabel Alvarez and Sylvia Alaniz have not agreed the property being distributed subject to a life estate. 3. Order includes information not found in the pleadings. Such as, that the 1997 Chevrolet blew an engine in July 2013, was abandoned and its current whereabouts are unknown. In addition the distribution has been changed to distribute a 50% interest in the real property to daughters Isabelle and Sylvia and the other 50% to sons Mike and Richard subject to a life estate in favor of petitioner. The order should reflect what is prayed for in the petition. Please see additional page
		Current bond: \$78,000.00	
		Account period: 4/14/12 – 8/21/14	
Cont. from 111014, 011215, 022315, 042015, 060115		Accounting - \$96,400.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$96,400.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$96,400.00	
<input checked="" type="checkbox"/>	Inventory	Administrator - waives	
<input checked="" type="checkbox"/>	PTC	Attorney (statutory) - \$3,856.00	
<input checked="" type="checkbox"/>	Not.Cred.	Costs - \$1,724.70	
<input checked="" type="checkbox"/>	Notice of Hrg	(filing fees, publication, probate referee, bond, recorder fees and certified copies)	
<input checked="" type="checkbox"/>	Aff.Mail	W/	
	Aff.Pub.	Creditor: Department of Health Care Services - \$30,826.13	
	Sp.Ntc.	Petitioner states he and the decedent lived together in the estate real property since 1987 until decedent's death in 2012. During the time that petitioner resided with decedent on the real property, he paid the mortgage payments each month, the maintenance and upkeep, and the annual property taxes. The decedent and petitioner agreed that petitioner would have a life estate in the property. Petitioner has continued to pay said expenses since the date of death of the decedent. Mike Chavez and Richard Flores, Jr. children of the decedent, executed a Renunciation in Favor of Santos Perez for a Life Estate; Isabel Alvarez and Sylvia Alaniz, daughters of the decedent did not execute such Renunciation.	
<input checked="" type="checkbox"/>	Letters	6/18/13	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
Please see additional page.			
Reviewed by: KT			
Reviewed on: 6/23/15			
Updates:			
Recommendation:			
File 4 – Gonzalez			

Petitioner seeks to distribution of a life estate in the real property under the principle of estoppel. The real property will be subject to a lien in favor of the of the Department of Health Care Services of the State of California until the death of Santos Perez, or the sale of the real property, and subject to the lien of Quinlan, Kershaw and Fanucchi, LLP for attorneys' fees and costs with interest at 10% per annum from the date of the order. In addition the property would be distributed subject to a lien in favor of the Department of Health Care Services in the amount of \$30,826.13 with interest accruing at 7% per annum from the date of recording of the Order and subject to a lien in favor of Quinlan, Kershaw and Fanucchi, LLP, for attorney fees and reimbursement of costs of administration.

Proposed distribution is to:

- | | | |
|---------------------------|---|--|
| Santos Perez | - | 1997 Chevy Automobile and a life estate in the real property |
| Mike Chavez (son) | - | 1/4 th Interest in the real property, subject to the life estate. |
| Isabel Alvarez (daughter) | - | 1/4 th Interest in the real property, subject to the life estate. |
| Richard Flores, Jr. (son) | - | 1/4 th Interest in the real property, subject to the life estate. |
| Sylvia Alaniz (daughter) | - | 1/4 th Interest in the real property, subject to the life estate. |

Declaration of paralegal Charlene Bullock filed on 3/2/15 states on 1/13/15 she had a voice mail message from Bobbie Coleman of the Recovery Section of the Department of Health Care Services. Mr. Coleman advised that the Department had reviewed the First and Final Account, the Order for Final Distribution, and the lien set forth in said document was acceptable to the Department. Ms. Bullock states that her office has filed Orders for Final Distribution in other probate matters wherein a lien to the Department of Health Care Services is set forth therein, and the Department has accepted those orders each time without having filed a formal consent or letter of consent with the Court.

Petitioner Saldivar, Rosalinda Galvan (pro per – paternal grandmother/Petitioner)

Petitioner Saldivar, Richard (pro per – paternal grandfather/Petitioner)

Petition - Appoint Guardian

Age: 12		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:	
		RICHARD SALDIVAR and ROSALINDA SALDIVAR , paternal grandparents, are Petitioners.		This Petition pertains to Vanity only.	
		Father: RUSTY SALDIVAR – <i>currently incarcerated</i>		Cutberto & Irene Jimenez were appointed as co-guardians of Natalie on 03/25/15.	
Cont. from		Mother: AMBER STICKLES – <i>Consent & Waiver of Notice filed 04/24/15</i>		1. Need Notice of Hearing.	
	Aff.Sub.Wit.			2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:	
✓	Verified	Maternal grandfather: CARL SHARP Maternal grandmother: TONYA SHARP		a. Rusty Saldivar (father) – <i>personal service needed</i>	
	Inventory			b. Carl Sharp (maternal grandfather) – <i>service by mail sufficient</i>	
	PTC			c. Tonya Sharp (maternal grandmother) – <i>service by mail sufficient</i>	
	Not.Cred.				
	Notice of Hrg	x	Petitioners state [see Petition for details].		
	Aff.Mail	x	Court Investigator Samantha Henson filed a report on 06/22/15.		
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 06/22/15	
				Updates:	
				Recommendation:	
				File 5 – Ortega & Saldivar	

Executor Ferri, Sabino J.L. (pro per – co-executor)

Executor Ferri, Pasqua Carmela (pro per – co-executor)

Status Hearing Re: Filing of the Petition for Final Distribution

DOD: 05/23/12	SABINO J.L. FERRI and PASQUA CARMELA FERRI , were appointed as Co-Executors with Full IAEA without bond on 04/23/13. Letters were issued on 04/24/13. On 01/16/15, Co-Executors filed their First Report of Executor on Waiver of Accounting and Petition for Approval. The Petition was approved on 03/02/15. Minute Order from 03/02/15 set this matter for status regarding filing of the Petition for Final Distribution.	NEEDS/PROBLEMS/COMMENTS: 1. Need Petition for Final Distribution and/or current written status report.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 06/23/15
		Updates:
		Recommendation:
		File 6 - Ferri

Amended Petition for Settlement of First and Final Account, and for Final Distribution

DOD:1/27/13			<p>KATHY S. SCHEIDT, Executor with no IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&A: \$13,538.94 (\$788.94 plus vehicle) POH: \$0</p> <p>Petitioner states the vehicle was sold for \$6,000.00. Estate expenses (taxes, creditors, etc., as set forth on Schedule A) of \$16,829.65 were paid from estate cash with the balance paid from the two heirs' personal funds.</p> <p>Executor (Statutory): Waived</p> <p>Petitioner requests an order that administration be brought to a close without an accounting; that all acts and proceedings be confirmed and approved, that Petitioner be authorized to distribute any other property of the estate not now known or discovered in equal shares to Kathy S. Scheidt and Mari Ann Basinger, and for such other and further orders as the court may deem proper and necessary.</p>	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
n/a	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 6/24/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Collins</p>	

DOD: 09/01/2012		JULIE RAVISCIONI , daughter was appointed Administrator with full IAEA authority without bond on 05/15/2013. Letters issued 05/16/2013 Final Inventory and Appraisal filed 11/06/2013 shows an estate valued at \$182,150.00. Minute Order of 05/15/2014 set this status hearing for the filing of the First Account and/or Petition for Final Distribution. Former Declaration of Randolph Krbechek Regarding the Status of Action and Request for Continuance filed 02/26/2015 states on 01/21/2015, the administrator filed a demurrer to Ms. Dupree's complaint, the demurrer hearing was scheduled for 02/26/2015 in Department of 503 of the Fresno Superior Court. On 02/09/2015, Ms. Dupree filed a First Amended Complaint for Damages in Camber Dupree v. Julie Raviscioni, Administrator, Fresno County Superior Court Case No. 14CECG03809. Mr. Krbechek intends to file another demurrer to the complaint based on the statute of limitations, and has obtained a hearing date of 03/25/2015. Based thereon, Mr. Krbechek respectfully requests the court continue the hearing on this matter until April 2015.	NEEDS/PROBLEMS/COMMENTS: Minute Order of 05/18/2015: Counsel requests 30 days; no appearance is necessary if the petition is filed at least two court days prior. Minute Order of 04/13/2015: Counsel advises that the 3 rd demurrer is set for 05/12/2015. Minute Order of 03/02/2015: Counsel Reports that a Demurrer to the First Amended Complaint in case #14CECG03809 is currently set for hearing on 03/25/2015 in Department 503. Matter continued to 04/13/2015 for further status. 1. Need First Account or Petition for Final Distribution or <u>current</u> written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 071814, 081814, 092214, 111014, 011215, 030215, 051815			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LV Reviewed on: 06/23/2015 Updates: Recommendation: File 8 – Dupree	

Amended Notice of Motion and Motion to be Relieved as Counsel

DOD: 6/12/07		CATHERINE A. AMADOR , Attorney for Former Administrator KIM MARIE GALLO , is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner's Declaration in Support of Motion to be Relieved as Counsel states she is an associate of Pascuzzi, Pascuzzi & Stoker, attorneys of record for Kim Marie Gallo, the former administrator. Ms. Amador prepared and filed the petition for appointment of Ms. Gallo as administrator of the estate of Pauline Sidam, who had been Ms. Gallo's mother-in-law. Ms. Gallo was appointed 9/11/13 with full IAEA powers.	<u>Note:</u> On 1/7/15, the Court removed Kim Marie Gallo as Administrator and appointed the Public Administrator.
Cont. from 020415, 030315			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	<p>The estate contained a single asset, a single family residence in Fresno, which was sold in April 2014.</p> <p>Prior to the sale, Ms. Gallo had informed Ms. Amador that she and her disabled son had decided to move to Minnesota to reside with her sister. She provided an address and stated that she could be reached at her current cell phone number. Ms. Amador began writing to her there in early March 2014.</p> <p>Ms. Amador had provided Ms. Gallo with necessary documents and information to open an estate account to receive proceeds from the sale of the residence and instructions on how to handle the escrow. Ms. Amador wrote to Ms. Gallo in April and May requesting information on the estate, and attempted to call, but the cell phone number had been disconnected. Ms. Amador wrote again in December 2014, but no reply was received.</p> <p>Ms. Amador wrote to Ms. Gallo on 5/5/15, return receipt requested, informing her that the Public Guardian (sic) would be attempting to complete the probate of the estate and requesting she confirm her address and phone number. She signed the receipt at the Minnesota address, but provided a forwarding address in Tennessee.</p> <p>The attorney respectfully requests to be relieved as counsel of record for Ms. Gallo. She does not respond to efforts to contact her nor comply with any requests that she provide information regarding the creation of an estate account or deposit of proceeds from the sale of the asset.</p> <p>Ms. Amador has forwarded relevant documents and information to the Public Guardian's (sic) Office, but to her knowledge, Letters have not yet issued. Because of that, she continues to hold the funds paid out by Ms. Gallo from the estate against a bill owed to her firm for other work performed by the firm for Ms. Gallo. She will forward a check to the Public Administrator as soon as Letters issue and he is able to deposit said check to the trust account. County Counsel has been made aware of the delay in obtaining Letters.</p>	<p>Reviewed by: skc</p> <p>Reviewed on: 6/24/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Sidam</p>

**First and Final Account & Report of Trustee of the Brooke Bertoldi Pooled
Special Needs Trust; Petition to Settle Account; to Confirm Trustee Fees; and
to Fix & Allow Attorney Fees & Costs.**

			FREMONT BANK , former Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Costs include charges for CourtCall totaling \$86.00. Local Rule 7.17B5 states the Court considers telephonic appearance costs to be a part of the cost of doing business and are not reimbursable. 2. Costs include charges for filing service fees totaling \$55.95. Local Rule 7.17B7 states the Court considers runner services to be a part of the cost of doing business and are not reimbursable.
			HERB THOMAS is the current successor Trustee.	
Cont. from			Account period: 9/11/13 – 11/17/14	
	Aff.Sub.Wit.		Accounting - \$122,260.43	
✓	Verified		Beginning POH - \$0	
	Inventory		Ending POH - \$ 51,005.26	
	PTC		Trustee - \$1,833.73	
	Not.Cred.		(already paid. 1.5% of the trust assets per court approved fee schedule.)	
✓	Notice of Hrg		Attorney - \$4,435.00 (per itemization and declaration, 8 attorney hours @ \$295/hr., .40 attorney hours at \$325/hr., and 12.90 paralegal hours @ \$150/hr)	
✓	Aff.Mail	W/	Costs - \$395.62 (Filing fee, Fed Ex, CourtCall, Runner Services)	
	Aff.Pub.		Petition states a handicap equipped van was purchased for \$62,955.87 and distributed directly to the beneficiary, Brook Bertoldi.	
	Sp.Ntc.		Petitioner prays for an Order:	
	Pers.Serv.		1. Approving, allowing and settling the first and final account and report;	
	Conf. Screen		2. Confirming payments by Fremont Bank to Fremont Bank and Charities Pool Trust, as compensation for services rendered as trustee;	
	Letters		3. Authorizing and directing the Trustee to pay attorney fees totaling \$4,435.00 and costs of \$395.62.	
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: KT
Reviewed on: 6/23/15
Updates:
Recommendation:
File 10 - Bertoldi

Amended (1) Waiver of Accounting and (2) Petition for Allowance of Statutory Fees to Executor and Attorney for Executor, and (3) Petition for Final Distribution

DOD: 1/23/14		DEBORAH FOULGER , Surviving Spouse and Executor with Full IAEA without bond, is Petitioner. Accounting is waived I&A: \$506,945.13 POH: Various accounts and securities (amounts not stated) Executor (Statutory): \$13,138.90 Attorney: \$5,000.00 (Less than statutory) Distribution pursuant to Decedent's will: Deborah Foulger, Trustee of the Henry Scott Foulger Declaration of Trust established December 17, 2012: Entire estate	NEEDS/PROBLEMS/COMMENTS:	
Cont from 040815, 051915				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			4/15/14
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/22/15	
			Updates: 6/26/15	
			Recommendation: SUBMITTED	
			File 11 – Foulger	

Probate Status Hearing RE: Proof of Attendance of Anger Management Classes

Age: 6	<p>ANTOINETTE FULLER, paternal aunt, was appointed Guardian on 05/11/15.</p> <p>Minute Order from 05/11/15 set this matter for status and states: The Court grants the general petition forthwith. The Court orders Orrin Fuller to enroll in Anger Management classes, and further orders that they are to take precedence over other classes if there is a scheduling conflict. There is to be no communication between Mr. Fuller and the Guardian other than e-mail. The Court orders visitation on the first and third Sunday of each month from 10am to 4pm at CYS. Each party is responsible for one-half of the costs of the visits, and there shall be no other visits other than those through CYS.</p> <p>Update on Minor's Progress and Guardian's Completions filed 06/18/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: It does not appear that an Order Appointing Guardian of the Minor or Letters of Guardianship have been submitted since the guardianship was granted on 05/11/15.</p> <p>1. Need proof of attendance of anger management classes from Orrin Fuller.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 06/23/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Fuller</p>

DOD: 10-3-12		<p>HOLLY FOLEY, Beneficiary, is Petitioner.</p> <p>Petitioner states the trust was created 3-29-05 by Virginia Howard as Settlor and Trustee and amended and restated in its entirety on 7-4-11, and amended again on 8-12-11. Petitioner is informed and believes that VICTORIA HOWARD is currently the sole trustee, VAUGHN HOWARD having resigned on or about 6-23-14.</p> <p>Petitioner states Virginia Howard died 10-3-12. Petitioner alleges the value of the trust at her death was over \$600,000.00.</p> <p>On 5-16-14, Petitioner, through counsel, made a written request for an account of the trust. On 5-28-14, following the sale of certain real property owned by the trust, Petitioner again requested a full and complete account of the remaining assets. Petitioner is entitled to receive an account per Probate Code §16062.</p> <p>On or about 4-15-13, Petitioner received an inventory of trust assets from the trustee's former legal counsel, but has not received anything since that date. More than 60 days have elapsed since Petitioner's written request for a full account; therefore, this petition is appropriate under Probate Code §17200(b) and Petitioner requests an order of this Court instructing the trustee to deliver an account of the transactions of the trust to Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: On 10-27-14: The Court removed Victoria Howard as the trustee and appointed the Public Administrator as the successor trustee.</p> <p><u>Continued from 9-29-14, 10-27-14, 1-26-15, 4-27-15. The following issues remain noted for reference:</u></p> <ol style="list-style-type: none"> Petitioner states Fresno County is the proper venue pursuant to Probate Code §17005 (a)(1) (principal place of administration); however, the current trustee, Victoria Howard, resides in <u>Red Oak, Iowa</u>, and the most recent former trustee, Vaughn Haward, resides in <u>Omaha, Nebraska</u>. Need clarification as to how Fresno County, CA, is the proper venue for this petition. Petitioner provides the names and addresses of the beneficiaries, but does not state if these are all of the people <u>entitled to notice</u> pursuant to Probate Code §17201. Need clarification. Petitioner mentions receipt of an inventory from the "Trustee's <u>former</u> legal counsel." Pursuant to Probate Code §1214, if the trustee is currently represented, notice is required to be served on the attorney, and Probate Code §17203 requires 30 days' notice. <p>The Court may require clarification as to how Petitioner knows that the trustee is no longer represented by the attorney who provided the inventory, and may require continuance for notice to the attorney for the trustee, if any.</p> <p>Note: The trust and amendments were prepared by Attorney Gilbert B. Fleming of Fresno, CA. Is this the attorney that served the inventory? If so, is this the basis for venue in Fresno?</p> <p>SEE ADDITIONAL PAGES</p>
Cont. from 092914, 102714, 012615, 042715			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: skc
Reviewed on: 6/22/15
Updates:
Recommendation:
File 13 - Howard

Page 2

First Supplement to Petition to Compel Account filed 10-22-14 states Attorney Gilbert Fleming continued to assist the trustees until about January 2014. Thereafter, Mr. Fleming continued to principally administer the trust from Fresno County, where the decedent resided and where both trust accounts and real property were located.

Petitioner is informed and believes that the remaining assets consist of a very small amount of money in the trust account, the trustee having depleted the account while still residing in Fresno, and the trust's interest in an investment fund.

No petition to transfer administration has been filed pursuant to §17401 and Section 12.05 of the trust. Accordingly, administration continues to be Fresno County and venue is proper in Fresno County.

Though counsel for petitioner have repeatedly inquired as to whether the trustee has retained new counsel after Mr. Fleming withdrew in January 2014, Petitioner is informed and believes that the trustee has not, and remains unrepresented.

The following additional Examiner's Notes remain noted for reference:

Probate Code §17002 states:

17002. (a) The principal place of administration of the trust is the usual place where the day-to-day activity of the trust is carried on by the trustee or its representative who is primarily responsible for the administration of the trust.

(b) If the principal place of administration of the trust cannot be determined under subdivision (a), it shall be determined as follows:

(1) If the trust has a single trustee, the principal place of administration of the trust is the trustee's residence or usual place of business.

(2) If the trust has more than one trustee, the principal place of administration of the trust is the residence or usual place of business of any of the cotrustees as agreed upon by them or, if not, the residence or usual place of business of any of the cotrustees.

If Mr. Fleming withdrew as counsel for the trustees, how did administration of the trust continue in Fresno without him? Pursuant to Probate Code §17002, the principal place of administration follows the trustee.

§17400 applies to trusts that are already before the Court. That is not the case here, and the trust section referenced does not appear to require petition to the Court for transfer. The trust has never been before this Court.

If Mr. Fleming's former representation of the trustee is the basis for Fresno as venue, Mr. Fleming is entitled to Notice of Hearing on Mr. Fleming at least 30 days prior to the hearing pursuant to §17203 and §1214.

14 Jayden L. McCray & Jaylen S. McCray (GUARD/P) Case No. 14CEPR00850Guardian **BARAJAS, MARY (pro per – maternal grandmother/guardian)**Petitioner **Barajas, Sylvia (pro per – mother)****Petition for Visitation**

Age: 1 year old twins.		SYLVIA BARAJAS , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		MARY HELEN BARAJAS , maternal grandmother, was appointed guardian on 11/10/14. – <i>Personally served on 06/23/15</i>	Note: Per Minute Order dated 02/04/15, Petitioner currently has supervised visits every Saturday from 11:00am to 2:00pm. Visits to be supervised by Leticia and Edward Barajas.
Cont. from		Petitioner states that she enrolled in Pathways, a substance abuse treatment center on 04/20/15 and is currently taking classes for domestic violence and anger management and will be starting parenting classes soon. She further states that she is being randomly drug tested and has a sponsor. She requests unsupervised visits with her twins 3 times a week. She would like visits Wednesday, Saturday and Sunday from 10:00am to 6:00pm. She states that her previously ordered supervised visits have stopped.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	Declaration filed 06/24/15 attaches letters from Pathways to Recovery and Marjaree Mason Center confirming that Sylvia Barajas is currently enrolled in their programs. Also attached are negative drug tests and a letter from Exzeria Phillips stating that she is Sylvia's sponsor.	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		Reviewed by: JF
<input type="checkbox"/>	Status Rpt		Reviewed on: 06/23/15
<input type="checkbox"/>	UCCJEA		Updates: 06/24/15
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 14 - McCray

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 10 mos.		<u>TEMPORARY EXPIRES 06/29/15</u>		NEEDS/PROBLEMS/COMMENTS:	
		ANNETTE IVORY , non-relative, is Petitioner.		<u>CONTINUED FROM 06/01/15</u>	
		Father: LEONELL MONARES – <i>Personally served on 03/11/15</i>		1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:	
Cont. from 030915, 042015, 060115		Mother: E'VAHNAVA WILLIAMS – <i>Consent & Waiver of Notice filed 01/05/15; Personally served on 03/11/15</i>		a. Paternal grandparents – <i>service by mail sufficient</i>	
<input type="checkbox"/>	Aff.Sub.Wit.			Note: Proof of service filed 03/23/15 indicates that Margo Monares was served by mail on 03/11/15; however her relationship to the minor is unknown; Declaration of Due Diligence filed 06/25/15 states that the paternal grandfather's name is unknown according to the father	
✓	Verified				
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
✓	Pers.Serv.	w/			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
✓	CI Report				
<input type="checkbox"/>	9202				
✓	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
✓	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 06/22/15	
				Updates: 06/25/15	
				Recommendation:	
				File 15 - Monares	

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Continued from 4/13/15, 5/18/15 All notes have been cured.
Cont from 041315, 051815			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 6/22/15	
		Updates:	
		Recommendation:	
		File 16A - Camacho	

**17 Matthew Calderon, Jacob Gurrusquieta, Francisco Hernandez,
Haley Hernandez, Isabel Hernandez, and Sophia Hernandez (GUARD/P)
Case No. 15CEPR00188**

Petitioner Maria De Jesus Gurrusquieta (Pro Per – Maternal Grandmother – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandparents of Matthew and Jacob - Paternal Grandparents of Francisco, Haley, Isabel, Sophia - Maternal Grandfather <u>Note:</u> Petitioner has now served: - Jose Gurrusquieta - Sandra Machura - Gloria Calderon However, it is unclear how these people are related to the children. Need clarification.	
Cont. 050415				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc Reviewed on: 6/22/15 Updates: Recommendation: File 17 – Calderon, Gurrusquieta & Hernandez				

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820,
1821, 2680-2682)

Age: 18		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		LINDA LOUISE McDOWELL , mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers (and powers under Probate Code §§2590, 1873 or 1901, and 2351-2358).	CONTINUED FROM 05/20/15 Court Investigator advised rights on 03/16/15. Voting rights affected, need minute order.
Cont. from 040815, 052015		Voting rights affected.	1. The Petition is marked at items 1 (d-f) requesting specific powers outlined in Probate Code sections 2590, 1873 or 1901, 2351-2358; however no information is provided about the necessity of these powers. Pursuant to Local Rule 7.15.2 - it is the policy of the court to grant a guardian or conservator only those independent powers necessary in each case to administer the estate. A request for all powers described in Probate Code § 2591 <u>will not be granted by the court</u> . Each independent power requested must be justified by, and narrowly tailored to the specific circumstances of that case. Any powers so granted must be specified in the order and in the Letters of Guardianship or Conservatorship. It is unclear whether Petitioner meant to request these powers or if these boxes were checked in error.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Petitioner states [see Petition for details].	2. Petitioner is requesting medical consent powers, need Capacity Declaration in support of medical consent.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Court Investigator Dina Calvillo filed a report on 03/24/15.	3. The Petition states that the proposed conservatee is a client of CVRC, therefore need proof of service at least 30 days before the hearing of Notice of Hearing with a copy of the Petition on CVRC pursuant to Probate Code § 1822(e). Note: proof of service filed 04/21/15 indicates that notice was mailed on 05/20/15. Need revised proof of service with corrected mailing date.
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		4. Need Citation.
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		5. Need proof of personal service at least 15 days before the hearing of Citation on the proposed conservatee. Note: Proof of service filed 04/21/15 indicates that Jameson was personally served with Notice of Hearing and a copy of the Petition on 04/20/15.
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	6. Item 11 of the petition does not appear to list all 2 nd degree relatives, only one grandmother is listed. It is unclear if other grandparents are deceased or were simply omitted. Need clarification. If there are other relatives that should be listed need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition on those additional people.
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		7. Items 1(a-e) of the Confidential Conservator's Screening Form appears to have the proposed conservatee's information (DOB, SSN, etc.) Need revised Confidential Conservator's Screening Form with Conservator's information at items 1(a-e).
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	x	
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 06/22/15
			Updates:
			Recommendation:
			File 18 – McDowell

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 5/11/14		<p>MARINA REESE, spouse, and STEPHEN ALAN KLISE, NORMA DEPOYAN, HAZEL MARIE STEITZ and TIMOTHY JON KLISE, siblings, are petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Decedent died intestate.</p> <p>I & A - \$75,000.00</p> <p>Petitioners request Court determination that Decedent's 100% interest in real property pass to MARINA REESE pursuant to intestate succession and assignments of interest.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 5/19/15. As of 6/23/15 the following issues remain:</p> <ol style="list-style-type: none"> 1. The siblings of the decedent have assigned their interest in this estate to the surviving spouse. There does not appear to be a provision in the Probate Code that would allow an individual to assign their interest in the estate in a summary proceeding. 2. Attachment 14 lists Kenneth Edward Reese. It appears that Kenneth is another sibling of the decedent. Kenneth died on 6/7/1985. Petition does not indicate whether or not Kenneth was survived by issue. If Kenneth was survived by issue, his issue would also be entitled to a portion of the decedent's real property. Probate Code §6401. 	
Cont. from 041415, 051915				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			W/
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 6/23/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 19 - Reese</p>		

Petition to Determine Succession to Real Property.

DOD: 2/10/15		BRUCE T. JONES , brother, is petitioner. 40 days since DOD. No other proceedings. Will dated: 3/18/05 devises entire estate to Bruce T. Jones. I & A - \$115,000.00 Petitioner requests Court determination that Decedent's 100% interest in real property located at 513 W. Cortland in Fresno passes to him pursuant to Decedent's Will.	NEEDS/PROBLEMS/COMMENTS: Continued from 6/1/15. Minute order states Counsel represents that her client is searching for the will and they have made an inquiry with the attorney that prepared the document. 1. Need original Will deposited with the court as required by Probate Code §8200.
Cont. from 060115			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: KT Reviewed on: 6/23/15 Updates: Recommendation: File 20 – Jones	

Age: 13		<u>TEMPORARY EXPIRES 06/29/15</u>		NEEDS/PROBLEMS/COMMENTS:	
		ROBERT MARRASH and JAMIE MARRASH, maternal uncle and aunt, are Petitioners.		1. Need <i>Notice of Hearing</i> . 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Declaration of Due Diligence <u>or</u> Consent & Waiver of Notice for: a. Paternal grandfather b. Maternal grandmother	
		Father: BENJAMIN BOYKIN – <i>deceased</i> Mother: HEATHER BOYKIN – <i>deceased</i>			
Cont. from		Paternal grandfather: NOT LISTED Paternal grandmother: JANE GIBBS – <i>Consent & Waiver of Notice filed 04/24/15</i>			
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified				
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	x	Maternal grandfather: JAMES MARKUS – <i>Consent & Waiver of Notice filed 04/24/15</i>		
<input type="checkbox"/>	Aff.Mail	x	Maternal grandmother: NOT LISTED		
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.	n/a	Siblings: JEFFREY BOYKIN (21), ZACHARY PREHEIM (20), KATHERINE BOYKIN (19), JON BOYKIN (18), HANNA BOYKIN (16) – <i>Consent and Waiver of Notice for all siblings filed 04/24/15</i>		
<input checked="" type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters				
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections		Petitioners state that guardianship is necessary because both of the minor's parents are deceased.		
<input type="checkbox"/>	Video Receipt				
<input checked="" type="checkbox"/>	CI Report		Court Investigator Jennifer Young filed a report on 06/17/15.		
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input checked="" type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 06/24/15	
				Updates:	
				Recommendation:	
				File 21 - Boykin	

Petitioner Schiebelhut, Carla Kay (pro per – maternal grandmother)
Petition - Appoint Guardian

Domino, 6		TEMPORARY EXPIRES 06/29/15		NEEDS/PROBLEMS/COMMENTS:	
Ariel, 4		CARLA SCHIEBELHUT, maternal grandmother, is petitioner.		<p>1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for:</p> <p>a. Jennifer Rodriguez (mother) – <i>personal service needed</i></p> <p>b. Lee Garcia's parents – <i>service by mail ok</i></p> <p>c. Erik Macias' parents – <i>service by mail ok</i></p> <p>Note: Proof of Service filed 06/18/15 indicates that Lee Roy Garcia, Katherine Garcia, Esther Macias and Nickolas Macias were served by mail on 06/02/15. It is unclear whether these people are the paternal grandparents of Ariel and Domino because the paternal grandparents are not listed on the Child Information Attachments. Need clarification.</p> <p>Note: Proof of personal service was filed for the mother, Jennifer Rodriguez regarding the temporary guardianship petition, but not for the general guardianship petition.</p>	
Marissa, 2		Domino: Father: LEE GARCIA Paternal grandfather: LEE ROY GARCIA? Paternal grandmother: KATHERINE GARCIA? (Lee Roy & Katherine Garcia served by mail on 06/02/15)			
Cont. from					
	Aff.Sub.Wit.	Ariel:			
✓	Verified	Father: ERIK MACIAS – personally served on 06/08/15			
	Inventory	Paternal grandfather: NICKOLAS MACIAS? Paternal grandmother: ESTHER MACIAS? (Nickolas & Esther Macias served by mail on 06/02/15)			
	PTC				
	Not.Cred.				
✓	Notice of Hrg	Marissa: Father: ROBERT JUNIOR RODRIGUEZ – Personally served on 06/11/15			
✓	Aff.Mail	w/	Paternal grandfather: PIO RODRIGUEZ, JR. Paternal grandmother: DOMINCA RODRIGUEZ (Pio & Dominica Rodriguez served by mail on 06/02/15)		
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	w/			
✓	Conf. Screen		Mother: JENNIFER RODRIGUEZ		
✓	Letters		Maternal grandfather: VINCE GRUSZIE		
✓	Duties/Supp/		Petitioner states [see Petition for details].		
	Objections		Court Investigator Dina Calvillo filed a report on 06/23/15.		
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 06/24/15	
				Updates:	
				Recommendation:	
				File 22 – Patterson, Macias, Rodriguez	

DOD: 04/09/2015	SHELLY L. HILL , daughter/named Executor without bond, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Full IAEA – o.k.		
	Will dated: 10/09/2007		1. Will is not self-proving. Need proof of subscribing witness.
Cont. from	Residence: Fresno Publication: The Business Journal		
<input type="checkbox"/> Aff.Sub.Wit.	<input checked="" type="checkbox"/>		<p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 11/30/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Monday, 08/29/2016 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<input checked="" type="checkbox"/> Verified	<input type="checkbox"/>		
<input type="checkbox"/> Inventory	<input type="checkbox"/>		
<input type="checkbox"/> PTC	<input type="checkbox"/>		
<input type="checkbox"/> Not.Cred.	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Notice of Hrg	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Aff.Mail	<input type="checkbox"/>	w/	
<input checked="" type="checkbox"/> Aff.Pub.	<input type="checkbox"/>		
<input type="checkbox"/> Sp.Ntc.	<input type="checkbox"/>		
<input type="checkbox"/> Pers.Serv.	<input type="checkbox"/>		
<input type="checkbox"/> Conf. Screen	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Letters	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Duties/Supp	<input type="checkbox"/>		
<input type="checkbox"/> Objections	<input type="checkbox"/>		
<input type="checkbox"/> Video Receipt	<input type="checkbox"/>		
<input type="checkbox"/> CI Report	<input type="checkbox"/>		
<input type="checkbox"/> 9202	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Order	<input type="checkbox"/>		
<input type="checkbox"/> Aff. Posting	<input type="checkbox"/>		
<input type="checkbox"/> Status Rpt	<input type="checkbox"/>		
<input type="checkbox"/> UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/> Citation	<input type="checkbox"/>		
<input type="checkbox"/> FTB Notice	<input type="checkbox"/>		

Estimated value of the Estate:

Personal property	-	\$20,000.00
Real property	-	\$240,000.00
Less encumbrances		(- \$100,000.00)
Total	-	\$160,000.00

Probate Referee: Rick Smith

Declaration of Attorney Re Affidavit of Subscribing

Witness filed 06/26/2015 states the Will of the decedent offered for probate, dated 10/09/2007, consists of, as the third page, a duly executed "Affidavit for Subscribing Witness", that includes or incorporates the attestation clause. California Probate Code § 8220(b) provides in pertinent part as follows: "Evidence of execution of a will may be received by an affidavit of a subscribing witness...by an affidavit in the original will that includes or incorporates the attestation clause." Accordingly, the Will of the decedent is self-proving and should be admitted to probate in the State of California where the decedent was a resident at the time of her death.

Please see additional page

Reviewed by: LV

Reviewed on: 06/23/2015

Updates: 06/26/2015

Recommendation:

File 23 - Norton

California Code of Civil Procedure Section 2003 defines the term "Affidavit" as a written declaration under oath. Note that the affidavit in this case has affixed thereto a jurat by a notary public signifying that the appropriate oath was administered in this instance, and that the statements set forth in the affidavit were made "under oath". New York Executive Law Section 135 describes the powers and duties of a notary public which include, "administer oaths and affirmations" and "take affidavits". CCP Section 2013 provides that an affidavit taken in another state, to be used in this state, may be taken before any notary public in another state.

Moreover, the Will was executed in conformity with the laws of the State of New York where it was executed, and would be recognized as a self-proving Will under the prescribed procedures in that State, according to New York Surrogate Court Procedure Section 1406 (see Exhibit "I" attached hereto).

24 Fredrick Holley (Spousal) Case No. 15CEPR00519**Petitioner DeShazor-Holley, Laura R. (Pro Per – Surviving Spouse)****Spousal Property Petition**

DOD: 10/27/2014	LAURA R. DESHAZOR-HOLLEY , surviving spouse, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Attached to the petition is an Interspousal Transfer Deed reflecting that Laura R. Holley, wife, grants to Frederick R. Holley, husband, the real property as his sole and separate property. Therefore it appears the property is the separate property of the decedent and not community property. Probate Code § 6401 provides that the petitioner would be entitled to 1/3 interest and the decedent's two children would be entitled to a 2/3 rd interest. It appears the property cannot pass via a spousal property petition. 2. Order is incomplete. Need new order.
	No other proceedings	
	Decedent died intestate	
Cont. from	Petitioner requests court confirmation that 100% of the property located at 5594 W. Swift Ave., Fresno, Ca. and 2013 Ford Fusion SE Hybrid pass to the petitioner.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/o	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/25/2015
		Updates:
		Recommendation:
		File 24 - Holley

Petition for Letters of Administration with IAEA

DOD: 4/22/15		MYRA ARGOTE , daughter, is petitioner and requests appointment as Administrator without bond. All heirs waive bond. Full IAEA – o.k. Decedent died intestate. Residence: Kerman Publication: Fresno Business Journal	NEEDS/PROBLEMS/COMMENTS: 1. Need relationship to the decedent for the persons listed on attachment 8. 2. Decedent was a resident of Kerman, therefore publication should have been in the Kerman News. Local Rule 7.9. 3. #8 of the petition does not include the name and date of death of the deceased spouse. Local Rule 7.1.1D.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.	Estimated value of the estate: \$0 (encumbrances on the real property equal its estimated value) Probate Referee: Rick Smith	Note: If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, November 18, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, August 17, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			